

Senate File 339

H-8003

1 Amend Senate File 339, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting clause
4 and inserting:

5 <Section 1. Section 285.8, subsection 4, Code 2014,
6 is amended to read as follows:

7 4. a. Inspect or cause to be inspected all
8 vehicles used as school buses to transport school
9 children and all vehicles otherwise used to transport
10 children to determine if such vehicles meet all legal
11 and established standards of construction and can be
12 operated with safety, comfort, and economy. When it
13 is determined that further use of such vehicles is
14 dangerous to the ~~pupils~~ children transported and or to
15 the safety and welfare of the traveling public, the
16 department of education shall order such vehicle to be
17 withdrawn from further use ~~on a specified date.~~ School
18 Vehicles used as school buses and vehicles otherwise
19 used to transport children which do not conform to the
20 requirements of the department of education may be
21 issued a temporary certificate of operation provided
22 that such school buses vehicles can be operated with
23 safety, and provided further that no such certificate
24 shall not be issued for a period in excess of one year
25 thirty days. All equipment can be required to be
26 altered, or safety equipment added, in order to make
27 vehicles reasonably safe for operation. A vehicle
28 which does not pass an inspection shall be subject to a
29 subsequent inspection by the department of education
30 in accordance with section 321.374, subsection 2.
31 New buses and vehicles otherwise used to transport
32 children, after initial inspection and approval, shall
33 be issued a seal of inspection. After each a vehicle
34 passes its annual inspection a seal of inspection
35 and approval shall be issued. ~~Said~~ The seals shall
36 be mounted on the lower right hand corner of the
37 windshield.

38 b. The state board of education shall adopt rules
39 for required, uniform inspections of vehicles otherwise
40 used to transport children. Such rules shall allow
41 for inspections to be conducted by qualified private
42 automobile mechanics or the department of education.
43 Such rules shall provide that subsequent inspections
44 shall be conducted only by the department of education.

45 c. For purposes of this subsection, "vehicle
46 otherwise used to transport children" means the same as
47 defined in section 321.1, subsection 91A.

48 Sec. 2. Section 285.8, subsection 9, Code 2014, is
49 amended to read as follows:

50 9. Establish a fee for conducting school bus

1 vehicle inspections and subsequent inspections in
2 accordance with subsection 4 and issuing school bus
3 driver authorizations in accordance with section
4 321.376, which shall not exceed the budgeted cost
5 for conducting inspections and administering
6 authorizations.

7 Sec. 3. Section 321.1, Code 2014, is amended by
8 adding the following new subsection:

9 NEW SUBSECTION. 91A. "Vehicle otherwise used
10 to transport children" means every vehicle operated
11 for the transportation of children, except for the
12 following:

13 a. School buses.

14 b. Vehicles used to transport ten or fewer children
15 in case of an emergency.

16 c. Vehicles used exclusively to transport children
17 in the immediate family of the driver.

18 d. Vehicles used to provide transportation service
19 available to the general public, whether or not for
20 compensation.

21 e. Authorized emergency vehicles.

22 f. Privately owned vehicles used to transport
23 children to or from before and after school programs,
24 summer programs, and child care programs if such
25 programs are not operated by a school district.

26 Sec. 4. Section 321.373, subsection 1, Code 2014,
27 is amended to read as follows:

28 1. Every school bus except private passenger
29 vehicles used as school buses and every vehicle
30 otherwise used to transport children shall be
31 constructed and equipped to meet safety standards
32 prescribed in rules adopted by the state board
33 of education. Such rules shall conform to safety
34 standards set forth in federal laws and regulations and
35 shall conform, insofar as practicable, to the minimum
36 standards for school buses recommended by the national
37 conference on school transportation administered by the
38 national commission on safety education and published
39 by the national education association.

40 Sec. 5. Section 321.374, Code 2014, is amended to
41 read as follows:

42 **321.374 Inspection — seal of approval.**

43 1. No A vehicle shall not be put into service
44 as a school bus or as a vehicle otherwise used to
45 transport children until it is given an original
46 inspection to determine if it meets all legal and
47 established uniform standards of construction for the
48 protection of the health and safety of children to
49 be transported. Vehicles which are approved shall
50 be issued a seal of approval by the director of the

1 department of education. All vehicles used as school
2 buses or vehicles otherwise used to transport children
3 shall be given a safety inspection at least once a
4 year. ~~Buses~~ Vehicles passing the inspection shall be
5 issued an inspection seal of approval by the director
6 of the department of education. The seal of original
7 inspection and the annual seal of inspection shall
8 be affixed to the lower right hand corner of the
9 windshield.

10 2. A vehicle used as a school bus or vehicle
11 otherwise used to transport children that does not
12 pass an inspection and receives an out-of-service
13 violation in such inspection shall be subject to a
14 subsequent inspection by the department of education
15 within no more than thirty days. A vehicle that
16 does not pass a subsequent inspection and receives an
17 out-of-service violation in such inspection shall be
18 removed from service until such time as the vehicle
19 passes an inspection. The state board of education
20 shall establish by rule a procedure for returning
21 such vehicles to service. The board shall define
22 out-of-service violations by rule. Such definitions
23 shall include any deficiency under which operation of
24 a vehicle would create an immediate risk to the safety
25 of the driver, passengers, or the general public. The
26 department of education shall include in its vehicle
27 maintenance and inspection manual procedures for
28 inspections of vehicles otherwise used to transport
29 children, the procedure for returning vehicles
30 to service, and the definitions of out-of-service
31 violations.

32 Sec. 6. Section 321.379, Code 2014, is amended to
33 read as follows:

34 **321.379 Violations.**

35 1. A school board, individual, or organization
36 shall not purchase, construct, or contract for use, to
37 transport ~~pupils to or from school~~ children, any school
38 bus or vehicle otherwise used to transport children
39 which does not comply with the minimum requirements of
40 section 321.373 and any individual, or any member or
41 officer of such board or organization who authorizes,
42 the purchase, construction, or contract for any
43 such ~~bus~~ vehicle not complying with these minimum
44 requirements commits a simple misdemeanor.

45 2. An individual who knowingly falsifies an
46 inspection record for a school bus or vehicle otherwise
47 used to transport children that is subject to an
48 out-of-service violation as defined by the state board
49 of education commits a simple misdemeanor.

50 Sec. 7. Section 331.653, subsection 32, Code 2014,

1 is amended to read as follows:

2 32. Enforce sections 321.372 to 321.379 relating to
3 school buses and vehicles otherwise used to transport
4 children.

5 Sec. 8. STATE MANDATE FUNDING SPECIFIED. In
6 accordance with section 25B.2, subsection 3, the state
7 cost of requiring compliance with any state mandate
8 included in this Act shall be paid by a school district
9 from state school foundation aid received by the school
10 district under section 257.16. This specification
11 of the payment of the state cost shall be deemed to
12 meet all of the state funding-related requirements of
13 section 25B.2, subsection 3, and no additional state
14 funding shall be necessary for the full implementation
15 of this Act by and enforcement of this Act against all
16 affected school districts.>

COMMITTEE ON EDUCATION

JORGENSEN of Woodbury, Chairperson